

PATENT
Customer No. 22,852
Application No.: 09/675,677
Filed: September 29, 2000
Attorney Docket No. 8049.0001-00

REMARKS

In the Office Action mailed July 19, 2004, the Examiner objected to claim 31 due to an informality. The Examiner further rejected claims 1-6, 9-12, 15, 16, 18-20, 22, 25, 26, 40, and 41 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,081,899 to *Byrd* in view of U.S. Patent No. 5,638,446 to *Rubin*. Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Byrd* in view of *Rubin* and in view of U.S. Patent No. 6,691,231 to *Lloyd et al.*; claims 13, 14, and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Byrd* in view of *Rubin* and in view of the article "What is X.509;" claim 27 was rejected under 35 U.S.C. § 103(a) as unpatentable over *Byrd* in view of *Rubin* and in view of U.S. Patent No. 6,321,333 to *Murray*; and claims 32, 33, 35, and 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Byrd* in view of *Rubin*, *Murray*, and U.S. Patent No. 5,742,829 to *Davis et al.*.

Applicant assumes that the Examiner also rejected claims 28-31 and 42-45 under 35 U.S.C. § 103(a) as unpatentable over *Byrd* in view of *Rubin* and *Murray* because in the Office Action of July 19, 2004, claims 27-31 and 42-45 are discussed in view of these references (*Office Action*, p. 5), although in the immediate preceding portion of the Office Action on page 4, the Examiner lists only claim 27 as rejected over the combination of *Byrd*, *Rubin*, and *Murray*.

By this Amendment, Applicant has amended claim 31 to correct a typographical error. Applicant submits that the current claim 31 does not contain the informality identified by the Examiner. Further, Applicant has amended claims 1, 8, 10, 16, 20, 27,

PATENT
Customer No. 22,852
Application No.: 09/675,677
Filed: September 29, 2000
Attorney Docket No. 8049.0001-00

and 42 to more appropriately claim Applicant's invention. Finally, Applicant has canceled claims 7 and 32-41, without prejudice or disclaimer of the subject matter thereof.

Upon entry of this Amendment, claims 1-6, 8-31, and 42-45 remain pending. Applicant respectfully traverses the Section 103(a) rejections of claims 1-45 for at least the following reasons.

The rejections of claims 7 and 32-41 are now moot because Applicant has canceled claims 7 and 32-41, without prejudice or disclaimer of the subject matter thereof.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First the reference or references, taken alone or combined, must teach or suggest all the claim limitations. M.P.E.P. § 2143 (8th ed. 2001, revised May 2004). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. *Id.* at § 2143.01. Third, a reasonable expectation of success must exist that the proposed modification will work for the intended purpose. *Id.* at § 2143.02. Moreover, each of these requirements must "be found in the prior art, and not be based on applicant's disclosure." *Id.* at § 2143.

Independent claim 1 recites, among other things, "creating a digest of the log file." *Byrd* fails to disclose or suggest at least "creating a digest of the log file," as

PATENT
Customer No. 22,852
Application No.: 09/675,677
Filed: September 29, 2000
Attorney Docket No. 8049.0001-00

present independent claim 1 recites. *Rubin* does not cure this *Byrd*'s deficiency. The Examiner cites *Lloyd* as a document where a log is disclosed. But *Lloyd* merely discloses creating a log of the request and reply (*Lloyd*, col. 7, lines 16-20). *Lloyd* fails to disclose or suggest "creating a digest of the log file," as recited in present independent claim 1. Therefore, for at least these reasons, *Byrd*, *Rubin*, and *Lloyd*, singly or in the combination, cannot render claim 1 obvious.

Present independent claim 10, 16, 20, 27, and 42 also recite, among other things, "creating a digest of the log file." As explained above, *Byrd*, *Rubin*, and *Lloyd*, singly or in the combination, fail to disclose at least this element of independent claims 10, 16, 20, 27, and 42. Article "What is X.509," *Murray*, and *Davis*, cited by the Examiner, each also fail to disclose or suggest "creating a digest of the log file," recited in each present independent claim. Therefore, the combination of *Byrd*, *Rubin*, *Lloyd*, Article "What is X.509," *Murray*, and *Davis* also fails to disclose or suggest at least "creating a digest of the log file," as recited in independent claims 10, 16, 20, 27, and 42. For at least these reasons, the Section 103(a) rejections of independent claims 10, 16, 20, 27, and 42 are improper and must be withdrawn and claims 10, 16, 20, 27, and 42 allowed.

Because independent claims 1, 10, 16, 20, 27, and 42 contain one or more elements that *Byrd*, *Rubin*, *Lloyd*, Article "What is X.509," *Murray*, and *Davis* fail to disclose or suggest, these references, singly or in combination, also fail to disclose or suggest elements of claims 2-6 and 8-9, 11-15, 17-19, 21-26, 28-31, and 43-45 that

PATENT
Customer No. 22,852
Application No.: 09/675,677
Filed: September 29, 2000
Attorney Docket No. 8049.0001-00

depend from allowable independent claims 1, 10, 16, 20, 27, and 42, respectively.

Thus, for at least these reasons, the Examiner has failed to make a *prima facie* case for the Section 103(a) rejections of claims 1-6, 8-31, and 42-45 and the rejections must be withdrawn. Therefore, claims 1-6, 8-31, and 42-45 are allowable.

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 19, 2005

By: 
Robert E. Converse, Jr.
Reg. No. 27,432